

AMENDED
APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office SEP 09 2002

Returned to applicant for correction OCT 02 2002

Corrected application filed NOV 20 2002

Map filed NOV 02 2002 under 69156

The applicant **the Nye County Board of Commissioners** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **underground (Ralston Valley)**

2. The amount of water applied for is **1.88** second feet.

(a) If stored in reservoir give number of acre-feet **N/A**

3. The water to be used for **Quasi Municipal purposed**

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kind of animals to be watered

(c) Other use (describe fully under No. 12. "Remarks") **Quasi Municipal**

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point **in the SW ¼ SE ¼ section 36 T.3N., R.43E., MDB&M or at a point whence the S.W. corner of said section 36 bears S. 78° 50' 54" W. 3371.05 feet distant.**

6. Place of Use **(1) (Tonopah Aeronautics and Technology Park, Tonopah Economic Development Zone). All of section 1 and the N.E. ¼ of section 12 of T.2N., R.43E MDB&M. (2) All of sections 5, 6 and 8 and all of section 7 excepting therefrom the SE ¼ all in T.2N., R.44E., MDB&M. (3) that portion of section 31 of T.3N., R.44E., as situated Southerly of the Southerly R/W line of U.S. Highway 6. (4) All that portion of section 36 T3N., R43E., as situated Southerly of the Southerly R/W line of U.S. Highway 6.**

7. Use will begin about **January 1**, and end about **December 31st** of each year.

8. Description of proposed works **It is proposed to drill case and equip an underground well for quasi municipal purposes.**

9. Estimated cost of works **\$25,000.00**

10. Estimated time required to construct works **5 years.**

11. Estimated time required to complete the application of water to beneficial use **10 years.**

12. Remarks: The water to be appropriated by the County Board of Commissioners will be used for the redevelopment of the Tonopah Airport in accordance with the provisions of NRS 278.0203. To carry out those provisions, the Nye County Board of Commissions have enacted Bill #2002-17, repealing Ordinance #197 and establishing Lower Ralston Valley Economic Development Zone. On September 3, 2002 the Nye County Board of Commissioners approved the proposal authorizing and executing the necessary exclusive development agreements with the Science and Technology Development Corporation (non-profit Regional Development Corporation established pursuant to Nevada Assembly Bill 528, Chapter 340, Nevada Statutes 1999, page 1402), and Renewable Development, formerly RHC Development, LLC, a Nevada Company.

Wallace T Boundy
By s/ Wallace T Boundy
P. O. Box 242
Tonopah NV. 89049

Compared sg/ cmf dl/ gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 69156, 69157 and 69158 shall not exceed 2568.0 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.88 cubic feet per second, but not to exceed 856 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 27, 2010

Proof of completion of work shall be filed on or before:

July 27, 2010

Water must be placed to beneficial use on or before:

June 27, 2015

Proof of the application of water to beneficial use shall be filed on or before:

July 27, 2015

Map in support of proof of beneficial use shall be filed on or before:

July 27, 2015

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 27th day of June, A.D. 2005


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____